IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No.1556 of 2005

Between:

V. Krishna Reddy, S/o. Tirupathi Reddy,
R/o. Kakatiya Grameena Bank, Lingalaghanpur, Warangal District.

..... PETITIONER

AND

1 Municipal Corporation, Warangal, Rep. by its Commissioner, Warangal.
2 Kakatiya Urban Development Authority, Rep. by tits Vice Chairman, Warangal.
3 D.V.R. Narsimhacharyulu, S/o. Narsimhacharyulu,
R/o. H.No. 10-3-106, Girmajipet, Warangal.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of a writ of mandamus declaring the action of the first respondent in not taking any action on petitioner's complaints dated 1-9-2004,
18-10-2004 and 27-12-2004 and permitting the third respondent to make illegal construction in plot No.3, H.No. 1-7-25, situated at Revenue Colony, Subedari, Hanmakonda, Warangal District in deviation of approved plan as arbitrary and illegal and consequently direct the first respondent to take action against third respondent and demolish the illegal construction undertaken by the third respondent.

Counsel for the Petitioner: MR.S.SATYAM REDDY

Counsel for the Respondent Nos.1 and 2: MR.K.VENUGOPAL REDDY (SC FOR MUNICIPALITY)

Counsel for the Respondent No.3 : MR.C.Narender

The Court at the stage of admission made the following :

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ORDER:

This writ petition is filed aggrieved by the alleged inaction on the part of the respondents 1 and 2 in considering the representations made by the petitioner dated 01.09.2004, 18.10.2004 and 27.12.2004 complaining about the illegal constructions being made by the third respondent in plot No.3 House No.1-7-25, situated at Revenue colony, Subedari, Hanmakonda, Warangal District.

The petitioner states that in spite of the fact that he made series of representations brining to the notice of the respondents 1 and 2 about the illegal constructions made by the third respondent and also personally visited the office of the first respondent, no steps have been taken by the respondents 1 and 2 to stop the third respondent from proceeding with the constructions in deviation of the approved plan.

Since admittedly the representations made by the petitioner are pending with the respondents 1 and 2, I am of the view that it would be appropriate to dispose of the writ petition with a direction to the respondents 1 and 2 to look into the complaint made by the petitioner in his representations dated 01.09.2004, 18.10.2004 and 27.12.2004 and to take appropriate action in accordance with law after affording due opportunity to the third respondent with regard to the allegations made by the petitioner within a period of four weeks from the date of receipt of this order.

Accordingly, the writ petition is disposed of. No costs.

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03.02.2005

Note: Furnish C.C., by Monday.

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To

1 The Commissioner, Municipal Corporation, Warangal, Warangal.
2 The Vice Chairman, Kakatiya Urban Development Authority, Warangal.
3 2 CD copies